

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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MAR 10 1992

In re Application of)
THE FIDELIO GROUP, INC.)
For a Construction Permit for a)
new FM Station to operate on)
Channel 282B in New York, New York)

Federal Communications Commission
Office of the Secretary

File No. BPH-910502MQ

TO: Roy J. Stewart, Chief
Mass Media Bureau

MOTION BY FIDELIO FOR LEAVE
TO FILE PLEADING ONE DAY LATE

1. On this date The Fidelio Group, Inc. (Fidelio) is filing a reply to the opposition filed by GAF Broadcasting Company, Inc. (GAF) to Fidelio's petition for leave to amend filed January 17, 1992.


2. There is pending before the Commission our motion for extension of time (to yesterday March 9, 1992) within which to file such reply. GAF kindly consented to that extension request. The one-day delay in the filing has been due to the unexpected travel out of the city by Mr. Cole, lead counsel in this matter. This was for an item of urgent business that could not be postponed. In these circumstances, an additional day was needed for the undersigned counsel to become sufficiently familiar with the matter to prepare the reply. Until late yesterday afternoon, I entertained hopes that a timely filing could be made, but that turned out to be not possible, hence, this motion for the one-day delay.

3. In the overall scheme of things, this will not

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materially delay the processing and ultimate disposition of the two competing applications in question. With apologies to the Commission and counsel for this last-minute extension request, resulting from the circumstances described in ¶2 above, this motion is

Respectfully submitted,



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March 10, 1992

CERTIFICATE OF SERVICE

I, Tiffany P. Simone, hereby certify that on this 10th day of March, 1992, I caused copies of the foregoing "Motion by Fidelio for Leave to File Pleading One Day Late" to be sent, by first class United States mail, postage prepaid, to the following:


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